

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q90961

Hiromu HABASHITA, et al.

Appln. No.: 10/553,704

Group Art Unit: 1624

Confirmation No.: 4009

Examiner: Noble E JARRELL

Filed: September 5, 2006

For: HETEROCYCLIC COMPOUND CONTAINING NITROGEN ATOM AND USE  
THEREOF

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction and Election of Species Requirement, dated March 24, 2008.

In response to the Restriction Requirement, Applicant elects Group II for examination. This election is made without traverse.

In response to the Election of Species Requirement, Applicant elects the compound of Example 1 at page 60 of the specification for examination on which claims 1-3, 5-15 and 17 are readable.

Applicant submits that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Response to Restriction and Election of Species Requirement  
U.S. Application No.: 10/553,704

Attorney Docket No. 90961

Applicant reserves the right to file a Divisional Application directed to non-elected subject matter.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

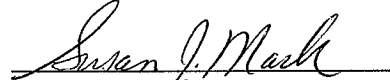
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**65565**

CUSTOMER NUMBER

Respectfully submitted,

A handwritten signature in cursive script, reading "Susan J. Mack", is written over a horizontal line.

Susan J. Mack  
Registration No. 30,951

Date: April 24, 2008